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8 *RANCH HOMEOWNERS ASSOCIATION*

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA – NORTHERN DIVISION

THE BANK OF NEW YORK MELLON FKA  
THE BANK OF NEW YORK AS TRUSTEE  
FOR THE CERTIFICATEHOLDERS CWALT,  
INC. ALTERNATIVE LOAN TRUST 2005-  
3CB MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2005-3CB,

Plaintiff,

vs.

HIGHLAND RANCH HOMEOWNERS  
ASSOCIATION; KERN & ASSOCIATES,  
LTD; TBR 1, LLC; AIRMOTIVE  
INVESTMENTS LLC; DOE INDIVIDUALS I-  
X inclusive, and ROE CORPORATIONS I-X,  
inclusive,

Defendants.

Case No.: 3:16-cv-00436-RCJ-WGC

**STIPULATION AND ORDER TO  
EXTEND DATE BY WHICH  
HIGHLAND RANCH HOMEOWNERS  
ASSOCIATION SHALL HAVE TO  
FILE ITS REPLY IN SUPPORT OF  
PARTIAL MOTION TO DISMISS AND  
OPPOSITION TO BANK OF NEW  
YORK MELLON'S  
COUNTERMOTION FOR SUMMARY  
JUDGMENT  
(FIRST REQUEST)**

Plaintiff, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK  
AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWALT, INC. ALTERNATIVE LOAN  
TRUST 2005-3CB MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-3CB  
("Bank of New York Mellon") and Defendant, HIGHLAND RANCH HOMEOWNERS  
ASSOCIATION ("Highland Ranch HOA"), by and through their respective counsel, stipulate to  
extend the deadline for Highland Ranch HOA to file its Reply in Support of Partial Motion to  
Dismiss and its Opposition to Bank of New York Mellon's Motion for Summary Judgment from  
September 26, 2016 to October 3, 2016.

1 Highland Ranch filed its Partial Motion to Dismiss (ECF #18) on August 29, 2016 and  
2 Bank of New York Mellon filed its Countermotion for Summary Judgment on September 1,  
3 2016 (ECF #21). Good cause exists for the extension of an additional week so that Highland  
4 Ranch HOA can further evaluate recent case law that may impact the issues in the briefing and  
5 the parties' recent FRCP 26 disclosures which may impact the issues in the briefing, and so that  
6 Highland Ranch may further research the law bearing on the issues in the briefing. The Court  
7 has not granted any previous extensions to Highland Ranch HOA for this briefing.

8 **IT IS SO STIPULATED.**

9 Dated this 21<sup>st</sup> day of September, 2016.

Dated this 21<sup>st</sup> day of September, 2016.

10 AKERMAN LLP

LAXALT & NOMURA, LTD.

11 By/s/ Natalie Winslow

By 

12 DARREN T. BRENNER, ESQ. (SBN 8386)  
13 NATALIE WINSLOW, ESQ. (SBN 12125)  
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15 Las Vegas, Nevada 89144  
16 Attorneys for Plaintiff  
17 Bank of New York Mellon fka The Bank  
18 New York as Trustee for the Certificateholders  
19 CWALT, INC. Alternative Loan Trust  
20 2005-3CB Mortgage Pass-Through  
21 Certificates, Series 2005-3CB

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Attorneys for Defendant  
Highland Ranch Homeowners  
Association

18 **IT IS SO ORDERED:**

19 Dated this 22nd day of September, 2016.

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21 UNITED STATES DISTRICT JUDGE  
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**CERTIFICATE OF SERVICE**

Pursuant to Federal Rule of Civil Procedure 5(b), I certify that I am an employee of Laxalt & Nomura, Ltd. and not a party to, nor interested in, the within action; that on the 21<sup>st</sup> day of September, 2016, a true and correct copy of the foregoing *STIPULATION AND ORDER TO EXTEND DATE BY WHICH HIGHLAND RANCH HOMEOWNERS ASSOCIATION SHALL HAVE TO FILE ITS REPLY IN SUPPORT OF PARTIAL MOTION TO DISMISS AND OPPOSITION TO BANK OF NEW YORK MELLON'S COUNTERMOTION FOR SUMMARY JUDGMENT (FIRST REQUEST)* was filed electronically through the Court's CM/ECF electronic notice system to the attorneys associated with this case.

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Certificateholders CWALT, Inc. Alternative  
Loan Trust 2005-3CB Mortgage Pass-Through  
Certificates, Series 2005-3CB*

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An Employee of Laxalt & Nomura, Ltd.